

**REMARKS/ARGUMENTS**

This amendment is being submitted along with a request for continued examination filed herewith. The office action of February 10, 2006 has been reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested.

*Request for Examiner Interview*

Applicants respectfully request an Examiner Interview prior to an action on the merits to discuss the present amendment.

*Outstanding Rejections*

Claims 43, 45-47, 50-66, 68, 70-72, 75-91, 93-95, 99-101, 103, 104, 106-108, 110-116 and 121-123 remain in this application. By this amendment, claim 43 has been amended to clarify the subject matter Applicants regard as their invention.

The pending claims stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Silverman et al. EP0399850 (*Silverman*) in view of Hartheimer et al., U.S. Patent No. 5,305,200 (*Hartheimer*); U.S. Patent No. 4,376,982 to Bantz et al. (*Bantz*); and U.S. Patent No. 4,858,112 to Puerzer (*Puerzer*). Applicants respectfully traverse these rejections.

Independent claim 43 recites the subject matter of a system that measures a time elapsed from sending a bid-offer match acknowledgement message from a second workstation to the host until the second workstation receives a confirmed trade data message from the host confirming receipt of the match acknowledgement from the second workstation. At least this subject matter is not taught or suggested by the cited prior art. The remaining independent claims include similar subject matter pertaining to measuring particular time periods.

Neither *Silverman*, *Hartheimer*, *Bantz* nor *Puerzer*, either alone or in combination, disclose or suggest the timing of particular data messages exchanged between computers as recited in the claims. For example, none of the references teaches measuring a confirmation period elapsed from reception of a match notification data message at a workstation, or from sending an acknowledgement of the match notification data message, until the workstation

receives a confirmation data message. For at least this reason, Applicants respectfully submit that claims 43, 45-47, 50-66, 68, 70-72, 75-91, 93-95, 99-101, 103, 104, 106-108, 110-116 and 121-123 are allowable over the prior art of record.

In addition, the combination of *Silverman, Hartheimer, Bantz* and *Puerzer* teaches away from the claimed invention according to at least claims 50, 51, 53, 56-64, 66, 75, 76, 78, 81-89, 100, 101, 106-108, 110, 111, 113, 114 and 122-123, which pertain to action occurring when a timeout period or interval is exceeded. The action occurring does not include resending messages. For instance, claim 50 recites a storage unit that stores an indication that a purchase was not completed upon an elapsed time exceeding a predetermined confirmation timeout period. In another example, independent claim 59 recites, "receiving an alarm from one of the workstations notifying the networked processor that the indication that the networked processor received the acknowledgment was not received by one of the workstations during an interval."

In contrast with claims 50, 51, 53, 56-64, 66, 75, 76, 78, 81-89, 100, 101, 106-108, 110, 111, 113, 114 and 122-123, *Bantz* teaches that if a resource "has not received a confirmation or cancellation message from the requestor by the end of interval T2, **it resends** the acceptance message to the requestor. **It keeps resending the acceptance message** at intervals T2 until it receives a confirmation or cancellation message," (*Bantz*, col. 14, lines 46-51), which is to the timeout subject matter of these claims. For this additional reason, claims 50, 51, 53, 56-64, 66, 75, 76, 78, 81-89, 100, 101, 106-108, 110, 111, 113, 114 and 122-123 are allowable over the prior art of record.

Appln. No.: 09/010,919  
Reply to Office Action of January 7, 2003  
ORDISH et al.

**CONCLUSION**

All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully Submitted,

By: \_\_\_\_\_ /Anthony W. Kandare/  
Anthony W. Kandare, reg. no. 48,830

BANNER & WITCOFF, LTD.  
1001 G Street, N.W., 11<sup>th</sup> Floor  
Washington, D.C. 20001  
(202) 824-3000

Dated: February 12, 2007